

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

MFA.No. 580 of 2002(B)

**OPMV.1700/1997 of MOTOR ACCIDENT CLAIMS TRIBUNAL,
MUVATTUPUZHA**

.....

APPELLANT: CLAIMANT:-

**K.D.BABU, S/O.DEVASSY, AGED 31,
KALAPPURATH HOUSE, MEKKADU KARA,NEDUMBASSRY
VILLAGE,ALUVA.**

BY ADV. SRI.V.M.ALI

RESPONDENTS: RESPONDENTS:-

- 1. T.M.ASHRAF, S/O. MOIDEEN, THOPPIL HOUSE,
ENANALLUR, PUNNAMATTOM.**
- 2. JOSE S/O. ESTHAPANOSE,THEKKANATHU HOUSE,
CHENGAMANADU KARA, CHENGAMANADU VILLAGE**
- 3. THE ORIENTAL INSURANCE CO.,
MUVATTUPUZHA BRANCH.**

BY

**THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD
ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

**K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.**

C.M.P.No.3404/2002 & M.F.A.NO.580 OF 2002

Dated this the 18th day of December, 2007

JUDGMENT

Radhakrishnan, J.

Though notice was ordered on the delay petition as early as on 17.6.2002, no steps have been taken to serve notice on the respondents. There is a delay of 517 days in filing the appeal. No sufficient grounds have been made out to condone the delay. Therefore, the delay petition is dismissed. Consequently, the appeal is also dismissed.

(K.S. Radhakrishnan, Judge.)

(T.R. Ramachandran Nair, Judge.)

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K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

C.M.P. No.3404/2002 &
M.F.A.No.580 of 2002

JUDGMENT

18th December, 2007.